

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**JAMES ZIMMERMAN, MARV
PINZON, and WILLIAM G. VAZQUEZ,**

Plaintiffs,

v.

**ROBERT R. ROCHE, ASHFORD S.
MCALLISTER, FRANK A. FERRARO,
E. SCOTT PRETORIUS, QUANTUM
MEDICAL RADIOLOGY, P.C., U.S.
TELERADIOLOGY, L.L.C., U.S.
MAMMO, L.L.C., NEUROSTAR
SOLUTIONS, INC., NIGHTHAWK
PHYSICIAN INVESTORS, LLC, and
JOHN DOES 1 through 10,**

Defendants.

**QUANTUM MEDICAL RADIOLOGY,
P.C.,**

Counterclaim-Plaintiff,

v.

**JAMES ZIMMERMAN, MARV
PINZON, WILLIAM G. VAZQUEZ,
JOSEPH CHRISTOPHER RUDÉ, III,
and GEORGIA IMAGING
ASSOCIATES, INC.,**

Counterclaim-Defendants.

Civil Action No. 09-CV-0605-AT

**MUTUAL DISMISSALS WITH
PREJUDICE**

MUTUAL DISMISSALS WITH PREJUDICE

COME NOW the parties, by and through their respective counsel, and mutually dismiss the above-styled action as follows:

- 1) Plaintiffs James Zimmerman, Marv Pinzon and William G. Vazquez hereby dismiss with prejudice the Complaint and all claims they asserted in the Complaint; and
- 2) Defendant and Counterclaim-Plaintiff Quantum Medical Radiology, P.C. hereby dismisses with prejudice its Counterclaims and all claims it asserted in its Answer and Counterclaims.

Each party shall bear his or its own attorneys' fees and costs.

Respectfully submitted this 7th day of February, 2012.

(Signatures On Following Page)

<p>KASOWITZ, BENSON, TORRES & FRIEDMAN, LLP</p> <p>By: <u>/s/ David E. Spalten</u> David E. Spalten Georgia Bar No. 669010 Paul G. Williams Georgia Bar No. 764925</p> <p>One Midtown Plaza – Suite 1150 1360 Peachtree Street, N.E. Atlanta, Georgia 30309 Telephone: (404)260-6080 Facsimile: (404)260-6081 dspalten@kasowitz.com pwilliams@kasowitz.com Attorneys for Plaintiffs</p>	<p>ARNALL GOLDEN GREGORY LLP</p> <p>By: <u>/s/ Edward A. Marshall</u> Henry M. Perlowski Georgia Bar No. 572393 Edward A. Marshall Georgia Bar No. 471533</p> <p>171 17th Street, N.W. Suite 2100 Atlanta, Georgia 30363 Telephone: (404)873-8500 Facsimile: (404)873-8501 henry.perlowski@agg.com edward.marshall@agg.com Attorneys for Robert R. Roche, Ashford S. McAllister, Frank A. Ferraro, E. Scott Pretorius, Quantum Medical Radiology, P.C., U.S. Teleradiology, L.L.C., U.S. Mammo, L.L.C., and Nighthawk Physician Investors, LLC</p>
<p>DLA PIPER LLP (US)</p> <p>By: <u>/s/ Scott Lange</u> Arthur D. Brannan Georgia Bar No. 076695 Scott Lange Georgia Bar No. 583280</p> <p>One Atlantic Center 1201 West Peachtree Street, Suite 2800 Atlanta, Georgia 30309-3450 Telephone: (404) 736.7804 Facsimile: (404)682.7804 arthur.brannan@dlapiper.com scott.lange@dlapiper.com Attorneys for Defendant Neurostar Solutions, Inc.</p>	

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing MUTUAL DISMISSALS WITH PREJUDICE with the Clerk of Court using the CM/ECF system which will automatically send electronic notification of this filing to the following attorneys of record:

<p>Henry M. Perlowski Edward A. Marshall ARNALL GOLDEN GREGORY LLP 171 17th Street, N.W. Suite 2100 Atlanta, Georgia 30363</p> <p><i>Attorneys for Robert R. Roche, Ashford S. McAllister, Frank A. Ferraro, E. Scott Pretorius, Quantum Medical Radiology, P.C., U.S. Teleradiology, L.L.C., U.S. Mammo, L.L.C., and Nighthawk Physician Investors, LLC</i></p>	<p>Arthur D. Brannan Scott Lange DLA PIPER LLP (US) One Atlantic Center 1201 West Peachtree Street Suite 2800 Atlanta, Georgia 30309-3450</p> <p><i>Attorneys for Defendant Neurostar Solutions, Inc.</i></p>
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This 7th day of February, 2012.

/s/ David E. Spalten

David E. Spalten

Georgia Bar No. 669010